

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE**

JOSEPH HEARN,)
Petitioner,) No. 2:12-cv-129
v.) 2:09-cr-101
UNITED STATES OF AMERICA,)
Respondent.) Judge Jordan

JUDGMENT ORDER

In accordance with the accompanying memorandum opinion, Petitioner's motion to vacate, set aside or correct sentence [Doc. 492] is **DENIED**, and Petitioner's motion for status report hearing [Doc. 496], motion for a ruling [Doc. 497], and motion to expedite ruling [Doc. 503] are **DENIED as moot**. This action is **DISMISSED**.

The Court **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous. Therefore, this Court **DENIES** petitioner leave to proceed *in forma pauperis* on appeal. See Rule 24 of the Federal Rules of Appellate Procedure. Petitioner having failed to make a substantial showing of the denial of a constitutional right, a certificate of appealability **SHALL NOT ISSUE**. 28 U.S.C. § 2253; Rule 22(b) of the Federal Rules of Appellate Procedure.

E N T E R :

s/Leon Jordan
United States District Judge

ENTERED AS A JUDGMENT

CLERK OF COURT